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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 15 2004

Application Serial No.10/713,287
Filing Date11/14/2003
Confirmation No.....2082
Inventorship.....Hunter
Applicant.....Microsoft Corporation
Group Art Unit2142
ExaminerELAMIN, ABDELMONIEM I
Attorney's Docket No.MS1-519USC1
Title: *Streaming-Media Input Port*

TERMINAL DISCLAIMER

To: Commissioner for Patents
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REMARKS

The undersigned attorney for Applicant, Kasey Christie, and Examiner Elamin discussed this case over the phone on Friday, June 4, 2004. We discussed how we might place the claims in a condition for allowability. The Examiner indicated that he intended to reject all claims in this case on the grounds of a double-patenting in light of the claims allowed in the parent case

The Examiner indicated that he was willing to allow the claims in this case if a terminal disclaimer was filed to overcome the forthcoming double-patenting rejection.

Forthwith, Applicant submits herewith a terminal disclaimer to obviate the non statutory double patenting rejection over U.S. Patent No. 6,675,241 to Kurt Hunter, assignee Microsoft Corporation.

The assignee, Microsoft Corporation, having one-hundred percent (100%) interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154-156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,675,241.

The assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This assignment runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the

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expiration date of the full statutory term as defined in 35 U.S.C. 154-156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record and the terminal disclaimer fee under 37 C.F.R. 1.20(d) is included.

Respectfully Submitted,

Dated: 6-15-04

By: 

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